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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. MJ 10-54
09 Plaintiff,)
10 v.) DETENTION ORDER
11 ELIJAH AGAPE CAIN,)
12 Defendant.)
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14 Offense charged: Conspiracy to Possess Cocaine with Intent to Distribute; Possession of a
15 Firearm in Furtherance of a Drug Trafficking Crime

16 Date of Detention Hearing: February 17, 2010

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably assure
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant was not interviewed by Pretrial Services. Most of his background

01 information is unknown or unverified. Defendant does not contest detention.

02 (2) Defendant's past criminal history includes numerous felonies, with bench warrant
03 activity related to failures to appear. There is an active outstanding felony warrant from King
04 County for Assault 2nd Degree–Strangulation.

05 (3) Defendant poses a risk of nonappearance due to unknown or unverified
06 background information, a long history of warrant activity, pending state charges including
07 Attempt to Elude, and an outstanding felony warrant. He poses a risk of danger due to the nature
08 of the charges and criminal history, which includes several violence-related charges.

09 (4) There does not appear to be any condition or combination of conditions that will
10 reasonably assure the defendant's appearance at future Court hearings while addressing the
11 danger to other persons or the community.

12 It is therefore ORDERED:

13 (1) Defendant shall be detained pending trial and committed to the custody of the
14 Attorney General for confinement in a correction facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or being held in custody
16 pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 Government, the person in charge of the corrections facility in which defendant
21 is confined shall deliver the defendant to a United States Marshal for the purpose
22 of an appearance in connection with a court proceeding; and

01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 17th day of February, 2010.

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06 Mary Alice Theiler
07 United States Magistrate Judge
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